

**IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA**

TALETHA PETTIE,

Plaintiff,

V.

AT&T MOBILITY SERVICES, LLC,

Defendant.

Case No. 09-CV-0616-CVE-FHM

AMENDED¹ OPINION AND ORDER

Now before the Court is Defendant’s Motion to Dismiss and Brief in Support Thereof (Dkt. # 12). Plaintiff filed a complaint (Dkt. # 1) in this Court asserting three claims: first, a claim for race discrimination in violation of Title VII, second, a claim for violation of the Employee Retirement Income Security Act (ERISA), and third, a claim for race-based discrimination in violation of Oklahoma law. Defendant moved to dismiss plaintiff’s second and third claims. Dkt. # 12.

Plaintiff filed a response (Dkt. # 18) to defendant's motion to dismiss, in which she states that "she has no objection to the Court dismissing her ERISA claim and her claim under the Oklahoma Anti-Discrimination Act, specifically her Second and Third Claims for Relief as set forth in her Complaint." Dkt. # 18. For good cause shown, the Court finds that Defendant's motion to dismiss should be granted.

IT IS THEREFORE ORDERED that Defendant's Motion to Dismiss and Brief in Support Thereof (Dkt. # 12) is **granted**; the second and third claims alleged in plaintiff's complaint are **dismissed**.

DATED this 24th day of November, 2009.

Claire V Egan
CLAIRE V. EAGAN, CHIEF JUDGE
UNITED STATES DISTRICT COURT

¹ Amended Opinion and Order to correct defendant's name in case caption.

